



Atty. Docket No. 6097P041

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of:

Phyllis R. Budka

Application No.: 09/747,320

Filed: December 22, 2000

For: METHOD, APPARATUS AND ARTICLE  
FOR PROJECT MANAGEMENT

Examiner: Tarae, Catherine M.

Art Group: 3623

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**APPEAL BRIEF UNDER 37 C.F.R. § 41.37(a)**


This is an appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner of Group 3623, dated February 17, 2006, which finally rejected claims 1-19 in the above-identified application. This Appeal Brief is hereby submitted pursuant to 37 C.F.R. § 41.37(a).

**FIRST CLASS CERTIFICATE OF MAILING**

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(Name of Person Mailing Correspondence)

  
(Signature)

## **I. REAL PARTY IN INTEREST**

The real party in interest is the assignee of the full interest in the invention as claimed, General Electric, a New York Corporation, having a principle address at 1 River Road, Schenectady, New York, 12345.

## **II. RELATED APPEALS AND INTERFERENCES**

To the best of Appellant's knowledge, there are no appeals or interferences related to the present appeal that will directly affect, be directly affected by, or have a bearing on the Board's decision in the instant appeal.

## **III. STATUS OF THE CLAIMS**

Claims 1-19 are pending in the application and were finally rejected in an Office Action mailed February 17, 2006. Claims 1-19 are the subject of this appeal. A copy of Claims 1-19 as they stand on appeal are set forth in Appendix A.

#### **IV. STATUS OF AMENDMENTS**

No amendments have been submitted subsequent to the Final Office Action mailed February 17, 2006.

#### **V. SUMMARY OF CLAIMED SUBJECT MATTER**

Appellant's invention as claimed in claims 1-19 is directed to a user interface in a computing system that includes a separate project window, request window, and task window, categorizing project, request and task related information, respectively. The project window is formatted to display project level information, a funding summary and a request list. The request window is formatted to display request level information, a request list and a task list. The task window is formatted to display task level information, a task list and an invoice list (e.g., page 1, lines 17-23).

The Appellant's invention as claimed is also directed to a method in a data processing system that presents a project window at a first time including project level information and a list of user selectable requests, presents a request window at a second time including request level information and a list of user selectable tasks, and presents a task window at a third time including task level information and a list of invoices (e.g., page 1, line 24 to page 2, line 2). The method may determine if a user has authority to enter or modify project related information and prevents the users without authority from entering and/or changing values for project related information (e.g., page 2, lines 3-5).

Independent claim 1 claims a data structure, residing in a computer readable memory, for an automated project tracking system, which includes 1) a project window including a project identification field formatted to receive and display a project identifier and a project status field formatted to receive and display a project status, (e.g., page 6, line 30 to page 9, line 14); 2) a request window including a request identification field formatted to receive and display a request identifier and a request status field formatted to receive and display a request status (e.g., page 9, line 24 to page 11, line 25); and 3) a task window including a task identification field formatted to receive and display a task identifier and a task status field formatted to receive and display a task status, the task window being read access only to a user who is not a person who is in charge of the project (e.g., page 11, line 26 to page 13, line 12). One of the request window and task window is displayed within the project window while the project identifier and the project status are displayed within the project window concurrently (e.g., Figs. 3, 4, 8, 9, and 11). The request and task windows are displayed as overlapped pages within the project window and each of the request and task windows is selectable via a page selector within the project window (e.g., Figs. 3, 4, 8, 9, and 11).

Independent claim 8 claims a display device for displaying a visual representation of a data structure stored in memory, including 1) a project window formatted to display project level identification information including a project identifier (e.g., page 6, line 30 to page 9, line 14); 2) a request window formatted to display request level identification information including a request identifier (e.g., page 9, line 24 to page 11, line 25); and 3) a task window formatted to display task level identification information including a task identifier, the task window being read access only to a user who is not a person who is in charge of the project. One of the request window and task window is displayed within the project window while

the project level identification information is displayed within the project window concurrently (e.g., Figs. 3, 4, 8, 9, and 11). The request and task windows are displayed as overlapped pages within the project window and each of the request and task windows is selectable via a page selector within the project window (e.g., Figs. 3, 4, 8, 9, and 11).

Independent claim 15 claims a method in a data processing system of project management, including 1) presenting a project window at a first time in response to a user request for project level information for a project, the project window including project level information related to the requested project and a list of user-selectable requests for the requested project (e.g., page 13, line 19 to page 14, line 21)); 2) presenting a request window at a second time in response to a user selection at the project window of one of a number of the requests in the list of user-selectable requests, the request window including request level information related to the selected request and a list of user-selectable tasks for the selected request (e.g., page 14, line 22 to page 15, line 5); and 3) presenting a task window at a third time in response to a user selection at the request window of one of the number of tasks in the list of user-selectable tasks, the task window including task level information related to the selected task and a list of invoices for the user selected task, the task window being read access only to user who is not a person who is in charge of the project (e.g., page 15, lines 6-26). One of the request window and task window is displayed within the project window while the project level identification information is displayed within the project window concurrently (e.g., Figs. 3, 4, 8, 9, and 11). The request and task windows are displayed as overlapped pages within the project window and each of the request and task windows is selectable via a page selector within the project window (e.g., Figs. 3, 4, 8, 9, and 11).

Independent claim 19 claims a computer-readable medium whose contents cause a computer system to present project management information by 1) presenting a project window at a first time in response to a user request for project level information for a project, the project window including project level information related to the requested project and a list of user-selectable requests for the requested project (e.g., page 13, line 19 to page 14, line 21)); 2) presenting a request window at a second time in response to a user selection at the project window of one of a number of the requests in the list of user-selectable requests, the request window including request level information related to the selected request and a list of user-selectable tasks for the selected request (e.g., page 14, line 22 to page 15, line 5); and 3) presenting a task window at a third time in response to a user selection at the request window of one of the number of tasks in the list of user-selectable tasks, the task window including task level information related to the selected task and a list of invoices for the user selected task, the task window being read access only to user who is not a person who is in charge of the project (e.g., page 15, lines 6-26). One of the request window and task window is displayed within the project window while the project level identification information is displayed within the project window concurrently (e.g., Figs. 3, 4, 8, 9, and 11). The request and task windows are displayed as overlapped pages within the project window and each of the request and task windows is selectable via a page selector within the project window (e.g., Figs. 3, 4, 8, 9, and 11).

## **VI. GROUNDS OF REJECTIONS TO BE REVIEWED ON APPEAL**

- A. Whether claims 1-7 and 8-14 are patentable over Knudson et al., U.S. Patent 5,765,140 (“Knudson”).
- B. Whether claims 15-19 are patentable over Knudson.

## VII. ARGUMENT

The claims do not stand or fall together.

### A. Claims 1-7 and 8-13 are patentable over Knudson.

Claims 1 and 8 stand or fall together. Claim 1 is the representative claim. As described above, independent claim 1 includes limitations of 1) a project window including a project identification field formatted to receive and display a project identifier and a project status field formatted to receive and display a project status, (e.g., page 6, line 30 to page 9, line 14); 2) a request window including a request identification field formatted to receive and display a request identifier and a request status field formatted to receive and display a request status (e.g., page 9, line 24 to page 11, line 25); and 3) a task window including a task identification field formatted to receive and display a task identifier and a task status field formatted to receive and display a task status, the task window being read access only to a user who is not a person who is in charge of the project (e.g., page 11, line 26 to page 13, line 12). One of the request window and task window is displayed within the project window while the project identifier and the project status are displayed within the project window concurrently (e.g., Figs. 3, 4, 8, 9, and 11). The request and task windows are displayed as overlapped pages within the project window and each of the request and task windows is selectable via a page selector within the project window (e.g., Figs. 3, 4, 8, 9, and 11).

To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. See M.P.E.P. §2143.03, citing *In re Royka*, 490



F.2d 981, 180, USPQ 580 (CCPA 1974). Appellant respectfully submits that Knudson does not disclose all the limitations of claim 1.

First, Appellant respectfully submits that claim 1 requires a project window including a project identification field formatted to receive and display a *project identifier* and a *project status field* formatted to receive and display a project status. Nothing in Knudson discloses at least this limitation of the claim.

The Office action purports that the project tracking system of Knudson incorporates “the well known ‘windows’ interface and appearance *to view and edit project data such as identification and status information*. See Office action, mailed April 5, 2006, page 4. The applicants respectfully disagree with such characterization of the cited references.

Knudson is directed to a project management system that is used to integrate the various roles of users and managers with preexisting, commercially available management software tool and mainframe system. See Knudson col. 9, lines 61-64. The preexisting management tool is a commercially available tool, such as Microsoft Project and ABT Project Workbench, and the mainframe system includes a main database that stores personnel resource data (e.g., suitable records of available company employees, and outside or external contractors typically used). See col. 4, lines 47-51, and col. 3, lines 29-39. The various roles are integrated into the management software tool by downloading existing personnel data to the software tool to create the project plans having tasks assigned to specific, pre-identified users. See col. 9, line 61 to col. 10, line 2. The various tasks of a project are stored in a master database so that individual users may access the database via timesheets. See col. 10, lines 2-7. Although Knudson discloses a project management system, nothing in Knudson

specifically discloses a project window that *includes both a project identification field and a project status field*.

Knudson discloses that the software modules (e.g., TES/Admin, TES/Plan, and TES/PC) are created using the commercially available Microsoft Visual Basic software which allows users to interface with the system at their respective terminals using "windows" analogous to those found in the well known Microsoft Windows software in order to maximize compatibility between the preexisting project management tool and the TES server network. See Knudson col. 4, lines 59-67. The only other reference to "windows" indicates that the TES/PC software module will have the typical Microsoft "windows" appearance, but that it is configured to suitably identify individual users, and list their assigned project tasks by name and/or description, and provide suitable table records in which expended time may be recorded against assigned tasks. See col. 6, lines 59-65. Just by merely disclosing that the system may use Microsoft Windows for interfacing the systems and for appearance *does not establish that Knudson discloses a project window that includes both a project identification field and a project status field*.

At most, Knudson discloses that a "window" could be used for displaying a project and the corresponding tasks and schedules, as illustrated in Figure 1 of Knudson, and that includes the project identification of Project 1 or Project 2. However, nothing in Knudson disclose that the project window has a *project status field*.

Moreover, in addition to requiring a project identification field and a project status field, claim 1 also requires that the project identification and project status fields are *formatted to receive and display a project identifier and a project status*. Nothing in Knudson discloses a project identification field, which is formatted to receive and display a

project identifier and a project status field that is formatted to receive and display a project status, as required by the claim.

In sum, nothing in Knudson discloses a project window including a project identification field formatted to receive and display a *project identifier* and a *project status field* formatted to receive and display a project status, as required by claim 1.

Second, Appellant respectfully submits that claim 1 requires a request window including a request identification field formatted to receive and display a request identifier and a request status field formatted to receive and display a request status. Nothing in Knudson discloses at least this limitation of the claim.

The Office action contends that this limitation is met by Knudson at col. 5, lines 59 to col. 6, line 30, and Figure 4, stating that project managers use the project management interface to request to create new projects or view and update data on existing projects, including project tasks, task status and personnel assigned to each task. See Office action, mailed April 05, 2006, page 4.

As described above, Knudson is directed to a project management system that includes software modules (e.g., TES/Admin, TES/Plan, and TES/PC). See Knudson col. 9, lines 61-64, and col. 4, lines 59-67. Although Knudson discloses that these software modules may be created using the commercially available Microsoft Visual Basic software which allows users to interface with the system at their respective terminals using "windows" analogous to those found in the well known Microsoft Windows software in order to maximize compatibility between the preexisting project management tool and the TES server network (see Knudson col. 4, lines 59-67), the only other reference to "windows" indicates that the TES/PC software module will have the typical Microsoft "windows" appearance, but

that it is configured to suitably identify individual users, and list their assigned project tasks by name and/or description, and provide suitable table records in which expended time may be recorded against assigned tasks. See col. 6, lines 59-65. Just by merely disclosing that the system may use Microsoft Windows for interfacing the systems and for appearance *does not establish that Knudson discloses a request window that includes both a request identification field and a request status field.*

At most, Knudson discloses that a “window” could be used for displaying a project and the corresponding tasks and schedules, as illustrated in Figure 1 of Knudson. Figure 1 includes two projects, labeled as Project 1 and Project 2, which both include multiple tasks to be completed with the schedule. Figure 1, and the corresponding text of Knudson, however, does not disclose that a request window, in addition to a project window, is used by the project management system.

Moreover, in addition to requiring a request window, claim 1 also requires that the request window include *both a request identification field and a request status field.* Nothing in Knudson discloses a request identification field and a request status field, as required by the claim.

Moreover, in addition to requiring a request identification field and a request status field, claim 1 also requires that the request identification and request status fields are *formatted to receive and display a request identifier and a request status.* Nothing in Knudson discloses a request identification field and a request status field, which is formatted to receive and display a request identifier and a request status, as required by the claim.

In sum, nothing in Knudson discloses a request window, in addition to the project window, which includes a request identification field formatted to receive and display a

*request identifier* and a *request status field* formatted to receive and display a request status, as required by claim 1.

Third, Appellant respectfully submits that claim 1 requires a task window including a task identification field formatted to receive and display a task identifier and a task status field formatted to receive and display a task status, the task window being read access only to a user who is not a person who is in charge of the project. Nothing in Knudson discloses at least this limitation of the claim.

The Office action contends that this limitation is met by Knudson at col. 2, lines 57-60; col. 7, lines 11-14; col. 9, lines 48-50, and Figure 1, stating that the system discloses a task window in which task identifier and status are displayed to a user. See Office action, mailed April 05, 2006, page 4.

As described above, Knudson is directed to a project management system that includes software modules (e.g., TES/Admin, TES/Plan, and TES/PC). See Knudson col. 9, lines 61-64, and col. 4, lines 59-67. Although Knudson discloses that these software modules may be created using the commercially available Microsoft Visual Basic software which allows users to interface with the system at their respective terminals using "windows" analogous to those found in the well known Microsoft Windows software in order to maximize compatibility between the preexisting project management tool and the TES server network (see Knudson col. 4, lines 59-67), the only other reference to "windows" indicates that the TES/PC software module will have the typical Microsoft "windows" appearance, but that it is configured to suitably identify individual users, and list their assigned project tasks by name and/or description, and provide suitable table records in which expended time may be recorded against assigned tasks. See col. 6, lines 59-65. Just by merely disclosing that the

system may use Microsoft Windows for interfacing the systems and for appearance *does not establish that Knudson discloses a task window that includes both a task identification field and a task status field.*

At most, Knudson discloses that a “window” could be used for displaying a project and the corresponding tasks and schedules, as illustrated in Figure 1 of Knudson. Figure 1 includes two projects, labeled as Project 1 and Project 2, which both include multiple tasks to be completed with the schedule. Figure 1, and the corresponding text of Knudson, however, does not disclose that a task window, in addition to both a project window and a request window, is used by the project management system.

Moreover, in addition to requiring a task window, claim 1 also requires that the task window include *both a task identification field and a task status field*. Nothing in Knudson discloses a task identification field and a task status field, as required by the claim.

Moreover, in addition to requiring a task identification field and a task status field, claim 1 also requires that the task identification and task status fields are *formatted to receive and display a task identifier and a task status*. Nothing in Knudson discloses a task identification field and a task status field, which is formatted to receive and display a task identifier and a task status, as required by the claim.

Moreover, in addition claim 1 requires that the task window is read access only to a user who is not a person who is in charge of the project. The Office action contends that each user of the system has an associated security access level that dictates their access to the project data, where the lowest level indicates minimal access (i.e., read only access) and the highest level (e.g., project owner/manager) indicates full administrative access (i.e., full write access). The Office action also contends the Knudson discloses that only authorized users

are allowed to access the master project database and affect assigned tasks, whereas unauthorized users may only view their task data in their timesheets; thus, the unauthorized users cannot affect the actual assignment of tasks or any other project data; rather, unauthorized users are only permitted to enter time for each of their assigned tasks into their timesheets. See Office action, mailed April 05, 2006, page 4. Appellant respectfully disagrees with the Office action's characterization of the cited reference.

Knudson and the Applicant's claimed invention are solving significantly different problems and their approaches are significantly different. The Examiner states, in the Office Action of December 21, 2005, that the task window claimed by the Applicant is the equivalent of the Time Entry System/Personal Computer (TES/PC) of Knudson. The TES/PC serves as timesheets for the personnel. As such, the TES is accessible to the personnel (equivalent to the users) who may directly enter their time for the assigned tasks into the TES. The text at col. 6 lines 30 - 35 of Knudson discloses that "the TES/PC software module... is...used by users for manually entering actual or expended time in accomplishing the project tasks using a visual or virtual time sheet." This is very different from the task window claimed by the Applicant. The Applicant's automated project tracking system employs a hierarchical approach to project management that is reflected in the user interface. It is designed for use by the owner, or the person in charge of the project, to plan a project and to document the progress of the project at the project tier, to request the performance of specific work by specific individuals or groups via electronic correspondence at the request tier, and to document internal technical data and/r send the task to an external supplier or vendor for fulfillment. In contrast, the Time Entry System (TES) of Knudson is configured for specifically associating time tracking with separately developed project plans (Col. 4

lines 21 - 24.) The TES software includes three portions or modules referred to separately as TES Administrator (TES/Admin), TES planning (TES/Plan), and TES Personal Computer (TES/PC). Each of these three modules respectively addresses the specific need of personnel resource management, project planning, and time entry in an interrelated cooperation using the common or master TES database 18 (Col. 4 lines 26 - 34.) In other words, the automated project tracking system claimed by the Applicant is a tool for a manager (or owner) to manage all levels of a project and the Time Entry System of Knudson is a time tracking system for use by both managers and personnel to follow and to create timesheets.

Claim 1 requires a task window that is read access only to a user who is not a person who is in charge of the project. The owner has authority to read and to write to the project through the task window, and to add others as co-owners of the project. Users who are not owners are only permitted read access to the information, and cannot add or change information (pg. 6 of detailed description, lines 3 - 6.) In contrast, Knudson discloses a Time Entry System (TES) that is aimed at tracking the actual time expended by personnel on their assigned tasks. It is respectfully submitted that Knudson fails to disclose this limitation of the claim.

Moreover, the Office action has failed to establish that one of the request window and task window is displayed within the project window while the project identifier and the project status are displayed within the project window concurrently. The Office action contends that this limitation is disclosed in Knudson at col. 2, lines 42-46, and 56-64; col. 4, lines 47-67; col. 6, lines 60-65, and Figure 1. The Appellant respectfully submits that at most, Knudson discloses that a "window" could be used for displaying a project and the corresponding tasks and schedules, as illustrated in Figure 1 of Knudson, but does not



disclose that either a request window or a task window are *displayed within* the window of Figure 1. And, as described above, by merely disclosing that the system may use Microsoft Windows for interfacing the systems and for appearance *does not establish that Knudson discloses that either a request window or a task window are displayed within the project window.*

In sum, nothing in Knudson discloses a task window, in addition to the project window and the request window, which includes a task identification field formatted to receive and display a *task identifier* and a *task status field* formatted to receive and display a task status, as required by claim 1.

Fourth, it appears that the Office action takes the position that because Knudson discloses that each module has an interface analogous to the windows functionality (and appearance) well known to the Microsoft software, the different windows and fields, as required under the claim, such as the project window having a project status field, are automatically met as being disclosed without any specific reference as to these windows or fields, and their corresponding functionality. See Office action, mailed April 05, 2006, page 5. However, by merely stating that the interfaces of each module of Knudson can be implemented as a Microsoft Window, does not establish that Knudson discloses this limitation by itself, since nothing in Knudson expressly or implicitly describes the windows and fields, nor their corresponding functionality, such as those argued above. Accordingly, whether the teachings of Knudson are combined or not with the well known appearance and functionality of Microsoft Windows, Knudson fails to disclose all the limitations of the claim.

For the above mentioned reasons, the Applicants respectfully submit that the Office action fails to establish *prima facie* obviousness because the cited references fail to disclose all the limitations of the claim. Given that the cited references fail to disclose all of the limitations of the claim, Applicant respectfully submits that claim 1 is patentable over the cited references. Accordingly, Applicant requests that the rejection of claim 1 under 35 U.S.C. § 103(a) be withdrawn.

Given that dependent claims 2-7 depend from independent claim 1, which is patentable over the cited references, Applicant respectfully submits that dependent claims 2-7 are also patentable over the cited references. Similarly, independent claim 33 includes limitations similar to those discussed above. Similar arguments with respect to claim 1 are applied herein to claim 8. Therefore, for reasons similar to those discussed above, independent claim 8 is patentable over Knudson. Given that dependent claims 9-14 depend from independent claim 8, which is patentable over the cited references, Applicant respectfully submits that dependent claims 9-14 are also patentable over the cited references. Accordingly, Applicant requests that the rejections of claims 2-14 under 35 U.S.C. § 103(a) be withdrawn.

**B. Claims 15-19 are patentable over Knudson.**

Claims 15 and 19 stand or fall together. Claim 15 is the representative claim. As described above, independent claim 15 includes the operations of 1) presenting a project window at a first time in response to a user request for project level information for a project, the project window including project level information related to the requested project and a list of user-selectable requests for the requested project (e.g., page 13, line 19 to page 14, line

21)); 2) presenting a request window at a second time in response to a user selection at the project window of one of a number of the requests in the list of user-selectable requests, the request window including request level information related to the selected request and a list of user-selectable tasks for the selected request (e.g., page 14, line 22 to page 15, line 5); and 3) presenting a task window at a third time in response to a user selection at the request window of one of the number of tasks in the list of user-selectable tasks, the task window including task level information related to the selected task and a list of invoices for the user selected task, the task window being read access only to user who is not a person who is in charge of the project (e.g., page 15, lines 6-26). One of the request window and task window is displayed within the project window while the project level identification information is displayed within the project window concurrently (e.g., Figs. 3, 4, 8, 9, and 11). The request and task windows are displayed as overlapped pages within the project window and each of the request and task windows is selectable via a page selector within the project window (e.g., Figs. 3, 4, 8, 9, and 11).

To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. See M.P.E.P. §2143.03, citing *In re Royka*, 490 F.2d 981, 180, USPQ 580 (CCPA 1974). Appellant respectfully submits that Knudson does not disclose all the limitations of claim 15.

First, Appellant respectfully submits that claim 15 requires the operation of presenting a project window at a first time in response to a user request for project level information for a project, the project window including project level information related to the requested project and a list of user-selectable requests for the requested project. Nothing in Knudson discloses at least this limitation of the claim.

The Office action purports that the project tracking system of Knudson incorporates “the well known ‘windows’ interface and appearance *to view and edit project data such as identification and status information*. See Office action, mailed April 5, 2006, page 4. The applicants respectfully disagree with such characterization of the cited references.

Knudson is directed to a project management system that is used to integrate the various roles of users and managers with preexisting, commercially available management software tool and mainframe system. See Knudson col. 9, lines 61-64. The preexisting management tool is a commercially available tool, such as Microsoft Project and ABT Project Workbench, and the mainframe system includes a main database that stores personnel resource data (e.g., suitable records of available company employees, and outside or external contractors typically used). See col. 4, lines 47-51, and col. 3, lines 29-39. The various roles are integrated into the management software tool by downloading existing personnel data to the software tool to create the project plans having tasks assigned to specific, pre-identified users. See col. 9, line 61 to col. 10, line 2. The various tasks of a project are stored in a master database so that individual users may access the database via timesheets. See col. 10, lines 2-7. Although Knudson discloses a project management system, nothing in Knudson specifically discloses presenting a project window at a first time in response to a user request for project level information for a project, the project window including project level information related to the requested project and a list of user-selectable requests for the requested project.

Knudson discloses that the software modules (e.g., TES/Admin, TES/Plan, and TES/PC) are created using the commercially available Microsoft Visual Basic software which allows users to interface with the system at their respective terminals using "windows"

analogous to those found in the well known Microsoft Windows software in order to maximize compatibility between the preexisting project management tool and the TES server network. See Knudson col. 4, lines 59-67. The only other reference to “windows” indicates that the TES/PC software module will have the typical Microsoft "windows" appearance, but that it is configured to suitably identify individual users, and list their assigned project tasks by name and/or description, and provide suitable table records in which expended time may be recorded against assigned tasks. See col. 6, lines 59-65. Just by merely disclosing that the system may use Microsoft Windows for interfacing the systems and for appearance *does not establish that Knudson discloses* presenting a project window at a first time in response to a user request for project level information for a project, the project window including project level information related to the requested project and a list of user-selectable requests for the requested project.

At most, Knudson discloses that a “window” could be used for displaying a project and the corresponding tasks and schedules, as illustrated in Figure 1 of Knudson, and that includes the project identification of Project 1 or Project 2. However, nothing in Knudson disclose that the project window includes *project level information related to the requested project and a list of user-selectable requests for the requested project*.

In sum, nothing in Knudson discloses presenting a project window at a first time in response to a user request for project level information for a project, the project window including project level information related to the requested project and a list of user-selectable requests for the requested project, as required by claim 15.

Second, Appellant respectfully submits that claim 15 requires the operation of presenting a request window at a second time in response to a user selection at the project

window of one of a number of the requests in the list of user-selectable requests, the request window including request level information related to the selected request and a list of user-selectable tasks for the selected request. Nothing in Knudson discloses at least this limitation of the claim.

The Office action contends that this limitation is met by Knudson at col. 5, lines 59 to col. 6, line 30, and Figure 4, stating that project managers use the project management interface to request to create new projects or view and update data on existing projects, including project tasks, task status and personnel assigned to each task. See Office action, mailed April 05, 2006, page 4.

As described above, Knudson is directed to a project management system that includes software modules (e.g., TES/Admin, TES/Plan, and TES/PC). See Knudson col. 9, lines 61-64, and col. 4, lines 59-67. Although Knudson discloses that these software modules may be created using the commercially available Microsoft Visual Basic software which allows users to interface with the system at their respective terminals using "windows" analogous to those found in the well known Microsoft Windows software in order to maximize compatibility between the preexisting project management tool and the TES server network (see Knudson col. 4, lines 59-67), the only other reference to "windows" indicates that the TES/PC software module will have the typical Microsoft "windows" appearance, but that it is configured to suitably identify individual users, and list their assigned project tasks by name and/or description, and provide suitable table records in which expended time may be recorded against assigned tasks. See col. 6, lines 59-65. Just by merely disclosing that the system may use Microsoft Windows for interfacing the systems and for appearance *does not establish that Knudson discloses presenting a request window at a second time* in response to

a user selection at the project window of one of a number of the requests in the list of user-selectable requests.

At most, Knudson discloses that a “window” could be used for displaying a project and the corresponding tasks and schedules, as illustrated in Figure 1 of Knudson. Figure 1 includes two projects, labeled as Project 1 and Project 2, which both include multiple tasks to be completed with the schedule. Figure 1, and the corresponding text of Knudson, however, does not disclose presenting request window, in addition to a project window by the project management system.

Moreover, in addition to requiring the operation of presenting a request window, claim 15 also requires that presenting the request window is *in response to a user selection at the project window of one of a number of the requests in the list of user-selectable requests*. Nothing in Knudson discloses that presenting a request window in response to a user selection at the project window of one of a number of the requests in the list of user-selectable requests, as required by the claim.

Moreover, in addition to requiring the operation of presenting a request window, claim 15 also requires that *the request window includes request level information related to the selected request and a list of user-selectable tasks for the selected request*. Nothing in Knudson discloses the request window including request level information related to the selected request and a list of user-selectable tasks for the selected request, as required by the claim.

In sum, nothing in Knudson discloses presenting a request window at a second time in response to a user selection at the project window of one of a number of the requests in the list of user-selectable requests, the request window including request level information

related to the selected request and a list of user-selectable tasks for the selected request, as required by claim 15.

Third, Appellant respectfully submits that claim 15 requires the operation of presenting a task window at a third time in response to a user selection at the request window of one of the number of tasks in the list of user-selectable tasks, the task window including task level information related to the selected task and a list of invoices for the user selected task, the task window being read access only to user who is not a person who is in charge of the project. Nothing in Knudson discloses at least this limitation of the claim.

The Office action contends that this limitation is met by Knudson at col. 2, lines 57-60; col. 7, lines 11-14; col. 9, lines 48-50, and Figure 1, stating that the system discloses a task window in which task identifier and status are displayed to a user. See Office action, mailed April 05, 2006, page 4.

As described above, Knudson is directed to a project management system that includes software modules (e.g., TES/Admin, TES/Plan, and TES/PC). See Knudson col. 9, lines 61-64, and col. 4, lines 59-67. Although Knudson discloses that these software modules may be created using the commercially available Microsoft Visual Basic software which allows users to interface with the system at their respective terminals using "windows" analogous to those found in the well known Microsoft Windows software in order to maximize compatibility between the preexisting project management tool and the TES server network (see Knudson col. 4, lines 59-67), the only other reference to "windows" indicates that the TES/PC software module will have the typical Microsoft "windows" appearance, but that it is configured to suitably identify individual users, and list their assigned project tasks by name and/or description, and provide suitable table records in which expended time may



be recorded against assigned tasks. See col. 6, lines 59-65. Just by merely disclosing that the system may use Microsoft Windows for interfacing the systems and for appearance *does not establish that Knudson discloses presenting a task window at a third time in response to a user selection at the request window of one of the number of tasks in the list of user-selectable tasks.*

At most, Knudson discloses that a “window” could be used for displaying a project and the corresponding tasks and schedules, as illustrated in Figure 1 of Knudson. Figure 1 includes two projects, labeled as Project 1 and Project 2, which both include multiple tasks to be completed with the schedule. Figure 1, and the corresponding text of Knudson, however, does not disclose presenting a task window, in addition to both a project window and a request window by the project management system.

Moreover, in addition to requiring presenting a task window, claim 15 also requires that the task window *includes task level information related to the selected task and a list of invoices for the user selected task.* Nothing in Knudson discloses that the task window includes task level information related to the selected task and a list of invoices for the user selected task, as required by the claim.

Moreover, in addition claim 15 requires that the task window is read access only to a user who is not a person who is in charge of the project. The Office action contends that each user of the system has an associated security access level that dictates their access to the project data, where the lowest level indicates minimal access (i.e., read only access) and the highest level (e.g., project owner/manager) indicates full administrative access (i.e., full write access). The Office action also contend the Knudson disclose that only authorized users are allowed to access the master project database and affect assigned tasks, whereas

unauthorized users may only view their task data in their timesheets; thus, the unauthorized users cannot affect the actual assignment of tasks or any other project data; rather, unauthorized users are only permitted to enter time for each of their assigned tasks into their timesheets. See Office action, mailed April 05, 2006, page 4. Appellant respectfully disagrees with the Office action's characterization of the cited reference.

Knudson and the Applicant's claimed invention are solving significantly different problems and their approaches are significantly different. The Examiner states, in the Office Action of December 21, 2005, that the task window claimed by the Applicant is the equivalent of the Time Entry System/Personal Computer (TES/PC) of Knudson. The TES/PC serves as timesheets for the personnel. As such, the TES is accessible to the personnel (equivalent to the users) who may directly enter their time for the assigned tasks into the TES. The text at col. 6 lines 30 - 35 of Knudson discloses that "the TES/PC software module... is...used by users for manually entering actual or expended time in accomplishing the project tasks using a visual or virtual time sheet." This is very different from the task window claimed by the Applicant. The Applicant's automated project tracking system employs a hierarchical approach to project management that is reflected in the user interface. It is designed for use by the owner, or the person in charge of the project, to plan a project and to document the progress of the project at the project tier, to request the performance of specific work by specific individuals or groups via electronic correspondence at the request tier, and to document internal technical data and/or send the task to an external supplier or vendor for fulfillment. In contrast, the Time Entry System (TES) of Knudson is configured for specifically associating time tracking with separately developed project plans (Col. 4

lines 21 - 24.) The TES software includes three portions or modules referred to separately as TES Administrator (TES/Admin), TES planning (TES/Plan), and TES Personal Computer (TES/PC). Each of these three modules respectively addresses the specific need of personnel resource management, project planning, and time entry in an interrelated cooperation using the common or master TES database 18 (Col. 4 lines 26 - 34.) In other words, the automated project tracking system claimed by the Applicant is a tool for a manager (or owner) to manage all levels of a project and the Time Entry System of Knudson is a time tracking system for use by both managers and personnel to follow and to create timesheets.

Claim 15 requires a task window that is read access only to a user who is not a person who is in charge of the project. The owner has authority to read and to write to the project through the task window, and to add others as co-owners of the project. Users who are not owners are only permitted read access to the information, and cannot add or change information (pg. 6 of detailed description, lines 3 - 6.) In contrast, Knudson discloses a Time Entry System (TES) that is aimed at tracking the actual time expended by personnel on their assigned tasks. It is respectfully submitted that Knudson fails to disclose this limitation of the claim.

Moreover, the Office action has failed to establish that one of the request window and task window is displayed within the project window while the project identifier and the project status are displayed within the project window concurrently. The Office action contends that this limitation is disclosed in Knudson at col. 2, lines 42-46, and 56-64; col. 4, lines 47-67; col. 6, lines 60-65, and Figure 1. The Appellant respectfully submits that at most, Knudson discloses that a "window" could be used for displaying a project and the

corresponding tasks and schedules, as illustrated in Figure 1 of Knudson, but does not disclose that either a request window or a task window are *displayed within* the window of Figure 1. And, as described above, by merely disclosing that the system may use Microsoft Windows for interfacing the systems and for appearance *does not establish that Knudson discloses that either a request window or a task window are displayed within the project window.*

In sum, nothing in Knudson discloses a task window, in addition to the project window and the request window, which includes a task identification field formatted to receive and display a *task identifier* and a *task status field* formatted to receive and display a task status, as required by claim 15.

Fourth, it appears that the Office action takes the position that because Knudson discloses that each module has an interface analogous to the windows functionality (and appearance) well known to the Microsoft software, the different windows and fields, as required under the claim, such as the project window having a project status field, are automatically met as being disclosed without any specific reference as to these windows or fields, and their corresponding functionality. See Office action, mailed April 05, 2006, page 5. However, by merely stating that the interfaces of each module of Knudson can be implemented as a Microsoft Window, does not establish that Knudson discloses this limitation by itself, since nothing in Knudson expressly or implicitly describes the windows and fields, nor their corresponding functionality, such as those argued above. Accordingly, whether the teachings of Knudson are combined or not with the well known appearance and functionality of Microsoft Windows, Knudson fails to disclose all the limitations of the claim.

For the above mentioned reasons, the Applicants respectfully submit that the Office action fails to establish *prima facie* obviousness. Given that the cited references fail to disclose all of the limitations of the claim, Applicant respectfully submits that claim 15 is patentable over the cited references. Accordingly, Applicant requests that the rejection of claim 15 under 35 U.S.C. § 103(a) be withdrawn.

Given that dependent claims 16-18 depend from independent claim 15, which is patentable over the cited references, Applicant respectfully submits that dependent claims 16-18 are also patentable over the cited references. Similarly, independent claim 19 includes limitations similar to those discussed above. Similar arguments with respect to claim 15 are applied herein to claim 19. Therefore, for reasons similar to those discussed above, independent claim 19 is patentable over Knudson. Accordingly, Applicant requests that the rejections of claims 16-19 under 35 U.S.C. § 103(a) be withdrawn.

## VIII. CONCLUSION

For the reasons stated above, claims 1-19 are patentable. Appellant respectfully requests that the Board reverse the rejections of the claims 1-19 and direct the Examiner to enter a Notice of Allowance for claims 1-19.

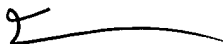
Enclosed is a check in the amount of \$500.00 to cover the fee for filing a brief in support of an appeal as required under 37 C.F.R. § 1.17(c) and 41.20(b)(2).

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due. Furthermore, if an extension is required, then Appellant hereby requests such extension.

Respectfully submitted,

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Dated: October 27, 2006



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**APPENDIX A: Claims on Appeal**

(37 C.F.R. § 41.37(c)(1)(viii))

The claims on appeal read as follows:

1. (Previously presented) A data structure for an automated project tracking system, the data structure residing in a computer readable memory and comprising:

a project window comprising a project identification field formatted to receive and display a project identifier and a project status field formatted to receive and display a project status;

a request window comprising a request identification field formatted to receive and display a request identifier and a request status field formatted to receive and display a request status; and

a task window comprising a task identification field formatted to receive and display a task identifier and a task status field formatted to receive and display a task status, the task window being read access only to a user who is not a person who is in charge of the project;

wherein one of the request window and task window is displayed within the project window while the project identifier and the project status are displayed within the project window concurrently, and

wherein the request and task windows are displayed as overlapped pages within the project window and each of the request and task windows is selectable via a page selector within the project window.

2. (Original) The data structure of claim 1 wherein the project window further comprises a request list, comprising:

a request identification field formatted to display a request identifier for each of a number of requests for a project; and

a request status field formatted to display a request status for each of the number of requests for the project.

3. (Original) The data structure of claim 1 wherein the request window further comprises a task list, comprising:

a task identification field formatted to display a task identifier for each of a number of tasks for a request for a project; and

a task status field formatted to display task status for each of the number of tasks for the request for the project.

4. (Original) The data structure of claim 1 wherein the task window further comprises an invoice list, comprising:

an invoice identification field formatted to display an invoice identifier for each of a number of invoices for a task; and

an invoice amount field formatted to display an invoiced amount for each of the number of tasks.

5. (Original) The data structure of claim 1 wherein the task window further comprises:



a committed amount field formatted to automatically display a cumulative total of amounts committed to a project;

an invoiced amount field formatted to automatically display a cumulative total of amounts invoiced to the project; and

a balance amount field formatted to automatically display a difference between the cumulative total of amounts committed to the project and the cumulative total of amounts invoiced to the project.

6. (Original) The data structure of claim 1 wherein the project window further comprises a funding source list, comprising:

a funding source identification field formatted to display a funding source identifier for each of a number of funding sources for a project; and

a funding amount field formatted to display a funding amount for each of the number of funding sources for the project.

7. (Original) The data structure of claim 1 wherein the request window further comprises a request list, comprising:

a request identification field formatted to display a request identifier for each of a number or requests for a project; and

a request status field formatted to display a request status for each of the number of requests for the project.

8. (Previously presented) A display device for displaying a visual representation of a data structure stored in memory, the visual representation comprising:

a project window formatted to display project level identification information including a project identifier;

a request window formatted to display request level identification information including a request identifier; and

a task window formatted to display task level identification information including a task identifier, the task window being read access only to a user who is not a person who is in charge of the project;

wherein one of the request window and task window is displayed within the project window while the project level identification information is displayed within the project window concurrently, and

wherein the request and task windows are displayed as overlapped pages within the project window and each of the request and task windows is selectable via a page selector within the project window.

9. (Original) The display device of claim 8 wherein the project window is further formatted to display:

a funding summary including an identification and an amount of each of a number of funding sources for a project; and

a request list including an identification and a status of each of a number of requests for the project.

10. (Original) The display device of claim 8 wherein the request window is further formatted to display:

a request list including an identification and a status of each of a number of requests for a project; and

a task list including an identification and a status of each of a number of tasks for a request.

11. (Original) The display device of claim 8 wherein the task window comprises:

a task list including an identification and a status of each of a number of tasks for a request; and

an invoice list including an identification and an amount of each of a number of invoices for a task.

12. (Original) The display device of claim 8 wherein the project window is further formatted to display:

a funding summary including an identification and an amount of each of a number of funding sources for a project; and

a request list including an identification and a status of each of a number of requests for the project, the request window is further formatted to display:

the request list including the identification and the status of each of the number of requests for the project; and

a task list including an identification and a status of each of a number of tasks for the request, and the task window comprises:

the task list including the identification and the status of each of the number of tasks for the request; and

an invoice list including an identification and an amount of each of a number of invoices for a task.

13. (Original) The display device of claim 8 wherein the visual representation of the project widow is in a first color, the visual representation of the request window is in a second color and the visual representation of the task window is in a third color.

14. (Original) The display device of claim 8 wherein only one of the project window, the request window and the task window is displayed at a time.

15. (Previously presented) A method in a data processing system of project management, comprising:

presenting a project window at a first time in response to a user request for project level information for a project, the project window comprising project level information related to the requested project and a list of user-selectable requests for the requested project;

presenting a request window at a second time in response to a user selection at the project window of one of a number of the requests in the list of user-selectable requests; the request window comprising request level information related to the selected request and a list of user-selectable tasks for the selected request; and

presenting a task window at a third time in response to a user selection at the request window of one of the number of tasks in the list of user-selectable tasks, the task window

comprising task level information related to the selected task and a list of invoices for the user selected task, the task window being read access only to user who is not a person who is in charge of the project;

wherein one of the request window and task window is displayed within the project window while the project level information is displayed within the project window concurrently, and

wherein the request and task windows are displayed as overlapped pages within the project window and each of the request and task windows is selectable via a page selector within the project window.

16. (Original) The method of claim 15, further comprising:

receiving a request by a user to enter information a particular project;

determining if a user has authority to enter information for the particular project;

entering the information if the user has authority to enter information for the particular project; and

refusing to enter the information if the user does not have authority to enter information for the particular project.

17. (Original) The method of claim 15 further comprising:

receiving a request by a user to modify information a particular project;

determining if a user has authority to modify information for the particular project;

entering the information if the user has authority to modify information for the particular project; and

refusing to enter the information if the user does not have authority to modify information for the particular project.

18. (Original) The method of claim 15, further comprising:

automatically generating a form letter in response to a user input; and

automatically populating fields in the form letter with request level information and task level information for the selected request and the selected task.

19. (Previously presented) The computer-readable medium whose contents cause a computer system to present project management information by:

presenting a project window at a first time in response to a user request for project level information for a project, the project window comprising project level information related to the requested project and a list of user selectable requests for the requested project;

presenting a request window at a second time in response to a user selection at the project window of one of a number of the requests in the list of user-selectable requests; the request window comprising request level information related to the selected request and a list of user-selectable tasks for the selected request; and

presenting a task window at a third time in response to a user selection at the request window of one of the number of tasks in the list of user-selectable tasks, the task window comprising task level information related to the selected task and a list of invoices for the user selected task, the task window being read access only to a user who is not a person in charge of the project;

wherein one of the request window and task window is displayed within the project window while the project level information is displayed within the project window concurrently, and

wherein the request and task windows are displayed as overlapped pages within the project window and each of the request and task windows is selectable via a page selector within the project window.

**APPENDIX B: Evidence**

None.



**APPENDIX C: Related Proceedings**

None.